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7 Attorneys for Defendants  
 8 JPMORGAN CHASE BANK, N.A (as acquirer of certain assets from WASHINGTON MUTUAL  
 BANK, FA); and CALIFORNIA RECONVEYANCE CO.

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10 **IN THE UNITED STATES DISTRICT COURT FOR THE**  
 11 **NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION**

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14 JOSE BARRIONUEVO AND FLOR  
 15 BARRIONEUVO individuals,

16 Plaintiffs,

17 vs.

18 CHASE BANK, N.A. Successor In Interest to  
 WASHINGTON MUTUAL BANK, FA,  
 LASALLE BANK NATIONAL ASSOCIATION  
 19 as Trustee for WMALT SERIES 2006-AR4 Trust;  
 CALIFORNIA RECONVEYANCE  
 20 CORPORATION; MORTGAGE  
 ELECTRONIC REGISTRATION SYSTEM, aka  
 21 "MERS" and DOES 1 THROUGH 100,  
 INCLUSIVE

22 Defendants.

Case No.: 3:12-CV-0572 EMC

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24 **JOINT STIPULATION AND  
 [PROPOSED] ORDER REGARDING  
 SCHEDULING ORDER**

25 Complaint Filed: 12/06/2011  
 First Amended Complaint Filed: 4/19/2012  
 Trial Date: 8/26/13

1 Plaintiffs Jose and Flor Barrionuevo (“Plaintiffs”) and defendant JPMorgan Chase Bank,  
2 N.A., for itself and as an acquirer of certain assets and liabilities of Washington Mutual from the  
3 Federal Deposit Insurance Corporation, as receiver for Washington Mutual Bank (“Defendant”),  
4 by and through their counsels of record, hereby submit this Joint Stipulation and Proposed Order  
5 regarding the scheduling order.

6 **JOINT STIPULATION**

7 Whereas, on November 5, 2012, the court set a trial date of August 26, 2012 and ordered a  
8 schedule concurrent with that date;

9 Whereas, the scheduling order requires all dispositive motions to be heard no later than  
10 June 6, 2013;

11 Whereas, such motions must consequently be filed no later than May 2, 2013;

12 Whereas, the deadline to conduct expert discovery is April 26, 2013;

13 Whereas, the parties agreed to have Defendant take the deposition of Plaintiffs’ expert on  
14 April 26, 2013;

15 Whereas, Plaintiffs’ counsel is having cataract surgery on April 23, 2013 and has been  
16 advised by his doctor that he cannot fly on April 26, 2013 and most likely not until May 5, 2013;

17 Whereas, the parties are agreed that Defendant should be allowed to depose Plaintiffs’ expert  
18 and file a Rule 56 motion thereafter;

19 Whereas, the parties are agreed that, given current circumstances, there is insufficient time  
20 for Defendant to do so;

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SAN FRANCISCO, CA 94105

1 IT IS THEREFORE STIPULATED BETWEEN THE PARTIES that they recommend that  
2 the court's order of November 5, 2012 be amended and a new order be issued setting a deadline of  
3 June 27, 2013 for the hearing of dispositive motions (which requires such a motion to be filed no later  
4 than May 30, 2013).

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6 Dated: April 17, 2013

Respectfully submitted,

7 **Michael Yesk, Attorney at Law**

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By: /s/ Michael Yesk

Michael Yesk  
Attorney for Plaintiffs

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Dated: April 17, 2013

Respectfully submitted,

13 **BRYAN CAVE LLP**

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By: /s/ John C. Hedger

John C. Hedger  
Attorneys for Defendants

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JPMORGAN CHASE BANK, N.A., for itself and as  
an acquirer of certain assets and liabilities of  
Washington Mutual from the Federal Deposit  
Insurance Corporation, as receiver for Washington  
Mutual Bank

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### **ATTESTATION PURSUANT TO GENERAL ORDER 45**

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I, John C. Hedger, attest that concurrence in the filing of this document has been obtained  
from each of the signatories. I declare under penalty of perjury under the laws of the United States of  
America that the foregoing is true and correct. Executed on April 17, 2013, at San Francisco,  
California.

/S/ John C. Hedger

John C. Hedger

1 [PROPOSED] ORDER REGARDING SCHEDULING ORDER

2 Having reviewed the stipulation of the parties and the status of the pleadings, the  
3 recommendations of the stipulation are adopted as an order of the court as follows:

4 1. The scheduling order of November 5, 2012 is amended to allow the hearing of  
5 dispositive motions no later than June 27, 2013.

6 IT IS SO ORDERED.

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8 DATED: 4/19, 2013

